IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2796 OF 2005

Anupama Robinder Singh .....Petitioner

Versus

Robinder Singh Kanwarjit Singh and Ors. ...Respondents

Mrs. P.P. Chavan, instructed by Mrs. Manjula Rao & Kokila Kalra, for the Petitioner.
Mr. J.J. Saxena for RespondentNo.1.
Mr.Rajesh More, A.P.P. For respondent No.2.

CORAM: **A.M. KHANWILKAR, J.**
DATE: **DECEMBER 13, 2005**.

P.C.

1. Heard counsel for the parties.

2. Leave to amend is granted to the petitioner to correct the Criminal Case Number mentioned in the prayer clause. Amendment to be carried out in the course of the day.

3. Rule, returnable forthwith by consent. Mr. J.J. Saxena waives notice for Respondent No.1.. Mr. Rajesh More, Additional Public Prosecutor, waives notice for Respondent No. 2.

4. The petitioner instituted criminal action against respondent No.1 for an offence punishable under Section 498A of the Indian Penal Code. Some matrimonial disputes were pending between the parties. By way of composite arrangement, all contentious issues have been resolved between the parties. As per the said arrangement, petitioner who initiated criminal

action against Respondent No.1 has decided not to proceed against Respondent No.1 and precipitate the matter. As the Petitioner is no more interested in pursuing the criminal action against Respondent no.1, no fruitful purpose would be served by continuing the said criminal action which is pending before the Court of Additional Metropolitan Magistrate Court at Girgaum, Mumbai, being Case No. 97/P/2000. In the interest of justice, therefore, this petition should succeed. The above numbered criminal action pending before the Court of Additional Metropolitan Magistrate is quashed for the reasons recorded earlier. Ordered accordingly.

5. Rule is made absolute in the above terms. .

(A.M. KHANWILKAR, J.)